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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/244,788 | 02/05/1999 | SUKETU A. PARIKH | 002818/PDD/P | 4159 |

7590 01/15/2002

PATENT COUNSEL MS 2061
LEGAL AFFAIRS DEPARTMENT
APPLIED MATERIALS INC
P O BOX 450A
SANTA CLARA, CA 95052

[REDACTED] EXAMINER

PHAM, THANHHA S

[REDACTED] ART UNIT [REDACTED] PAPER NUMBER

2813
DATE MAILED: 01/15/2002

#18

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------|------------------------|---------------------|
| Advisory Action | Application No. | Applicant(s) |
| | 09/244,788 | PARIKH, SUKETU A. |
| Examiner | Art Unit | |
| Thanhha Pham | 2813 | |

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 18 December 2001 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) The period for reply expires 3 months from the mailing date of the final rejection.
- b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. The proposed amendment(s) will not be entered because:
 - (a) they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) they raise the issue of new matter (see Note below);
 - (c) they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

3. Applicant's reply has overcome the following rejection(s): _____.
4. Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. The a) affidavit, b) exhibit, or c) request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
6. The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. For purposes of Appeal, the proposed amendment(s) a) will not be entered or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 1,5-19,21 and 23-31.

Claim(s) withdrawn from consideration: 33-42.

8. The proposed drawing correction filed on _____ is a) approved or b) disapproved by the Examiner.

9. Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.

10. Other: _____.

- Continuation of 2. NOTE: Proposal amendments in claims 5, 11-13, 15, 19 and 24 raise new issues that require further consideration/search -- for example, "depositing a first dielectric layer on the substrate such that there is no material layer interposed between the interconnect line and the substrate" "metallic superconductors and nonmetallic having zero direct current resistance at or below their superconducting transition temperature" ... require further search/consideration..

C. Chaudhari
Chandra Chaudhari
Primary Examiner

LAW OFFICE of ALBERT J. DALHUISEN
Patents • Intellectual Property • Licensing

1217 Rousseau Drive
Sunnyvale, California 94087

Telephone (408) 773-0435
Facsimile (408) 738-4057

Facsimile Cover Sheet

Examiner Thanhha Pham
Art Unit 2813
U.S. Patent and Trademark Office
Washington, D.C. 20231

FAX: (703) 308-7722

From: Albert J. Dalhuisen

Date: January 3, 2002

FAX COPY RECEIVED
JAN 3 2002

Pages (including cover): 4

Time: 10:40 a.m. p.m.

Docket No.: 002818/PDD/PSI/JW

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Serial No.: 09/244,788

PATENT
Attorney Docket No.: 002818/PDD/PSI/JW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Suketu A. Parikh

Serial No.: 09/244,788

Filed: 2/5/99

For: Dual Damascene Misalignment
Tolerant Techniques For Vias And
Sacrificial Etch Segments) Group:
) Art Unit: 2813
) Examiner: Pham T.

)

) **TRANSMITTAL**

)

) PATENT COUNSEL
) APPLIED MATERIALS, INC.
) Legal Affairs Department
) P.O. Box 450 A
) Santa Clara, CA 95052Assistant Commissioner for Patents
Washington, D.C. 20231FAX COPY RECEIVED
JAN 3 2002
TECHNOLOGY CENTER 2800

Sir:

TRANSMITTAL OF CORRECTED TRANSMITTAL LETTER

Enclosed herewith please find a corrected Transmittal Letter dated January 3, 2002 for the above-identified patent application.

Respectfully submitted,

Dated: January 3, 2002By: 
Albert J. Dalhuisen
Reg. No.: 36,117

CERTIFICATE OF FACSIMILE TRANSMISSION (37 CFR §1.8 (a))
I hereby certify that this paper (along with any referred to as being attached, enclosed or included) is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

LAW OFFICE of ALBERT J. DALHUISEN

Dated: January 3, 2002By: 
Albert J. Dalhuisen

PATENT

Attorney Docket No.: 002818/PDD/PSI/JW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Suketu A. Parikh

Serial No.: 09/244,788

Filed: 2/5/99

For: Dual Damascene Misalignment
Tolerant Techniques For Vias And
Sacrificial Etch Segments

) Group:
) Art Unit: 2813
) Examiner: Pham T.
)
) Corrected Transmittal Letter
)
)
) PATENT COUNSEL
) APPLIED MATERIALS, INC.
) Legal Affairs Department
) P.O. Box 450 A
) Santa Clara, CA 95052

Assistant Commissioner for Patents
Washington, D.C. 20231

COPY RECEIVED

JAN 3 2002

Sir:

TECHNOLOGY CENTER 2800

CORRECTED TRANSMITTAL LETTER

Applicant respectfully requests substitution of applicant's Transmittal Letter sent 12/18/01 (having Express Mail Receipt No.: EF27958751SUS) with the present Transmittal Letter dated January 3, 2002 in order to correct applicant's mistake in the 12/18/01 Transmittal Letter. The 12/18/01 Transmittal Letter incorrectly refers to the Office Action date as 1/18/01. The correct Office Action date to which applicant's response is directed is 10/18/01. Applicant's 12/18/01 Amendment and Response refers to the correct Office Action date of 10/18/01. Applicant's undersigned representative discussed the request by telephone with Examiner Pham on January 3, 2002. The Examiner kindly agreed to receive a faxed correction of the Transmittal Letter for review by the PTO. Applicant thanks Examiner Pham for her assistance in this matter.

Respectfully submitted,

Dated: January 3, 2002By: Albert J. Dalhuisen
Albert J. Dalhuisen
Reg. No.: 36,117

PATENT
Attorney Docket No.: 002818/PDD/PSI/JW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Suketu A. Parikh) Group Art Unit 2813
) Examiner: Pham T.
 Serial No.: 09/244,788)
)
 Filed: 2/5/99)
)
 For: Dual Damascene Misalignment Tolerant)
 Techniques For Vias And Sacrificial)
 Etch Segments)
)

Assistant Commissioner for Patents
 Washington, D.C. 20231

Sir:

Transmitted herewith is an AMENDMENT AND RESPONSE in the above-identified application, in response to the Office Action mailed 10/18/01. The fee has been calculated as shown below.

| | (Col.1) | | (Col.2) | | (Col.3) | |
|-------------|-------------------------------------|-------|---------------------------------------|------------------|---------|-----------------|
| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE | ADDITIONAL FEE |
| TOTAL | 23 | MINUS | 42 | 0 | \$18.00 | \$0.00 |
| INDEPENDENT | 4 | MINUS | 6 | 0 | \$84.00 | \$0.00 |
| FIRST | PRESENTATION | OF | MULTIPLE DEPENDENT | CLAIM | | TOTAL .. \$0.00 |

- * If the entry in Col.1 is less than the entry in Col.2, "0" is written in Col.3.
- ** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, "20" is written in this space.
- *** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, "3" is written in this space. The "Highest Number Previously Paid For" (Total or Independent is the highest number found from the equivalent box in Col.1 of a prior amendment or the number of claims originally filed.)

No additional Filing Fee is required.

Petition to extend time to respond.

Extension Fee

Other. Please specify:

Please address all correspondence to:

PATENT COUNSEL
 APPLIED MATERIALS, INC.
 Legal Affairs Department
 P.O. Box 450 A
 Santa Clara, CA 95052

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JAN 3 2002

Respectfully Submitted,

By: 

Albert J. Dalhuisen
 Registration No.: 36,117

Dated: January 3, 2002